

INJURED WORKER REEMPLOYMENT AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends the Workers' Compensation Act to address reemployment of injured workers and repeals the Utah Injured Worker Reemployment Act.

Highlighted Provisions:

This bill:

- defines terms;
- addresses scope of section;
- clarifies that the duties of the Utah State Office of Rehabilitation are not affected;
- authorizes rulemaking by the commission;
- addresses an initial written report;
- provides for the evaluation of an injured worker and the development of a reemployment plan;
- establishes reemployment objectives;
- imposes requirements on rehabilitation counselors;
- repeals the Utah Injured Worker Reemployment Act; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:

AMENDS:

34A-2-413, as last amended by Laws of Utah 2011, Chapters 297 and 366

34A-3-102, as last amended by Laws of Utah 2009, Chapter 158

63A-3-501, as last amended by Laws of Utah 2013, Chapter 74

63I-1-234 (Superseded 07/01/14), as last amended by Laws of Utah 2013, Chapters 54 and 144

63I-1-234 (Effective 07/01/14), as last amended by Laws of Utah 2013, Chapters 54,
144, and 417

ENACTS:

34A-2-413.5, Utah Code Annotated 1953

REPEALS:

34A-8a-101, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-102, as last amended by Laws of Utah 2011, Chapter 366

34A-8a-104, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-105, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-201, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-202, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-203, as enacted by Laws of Utah 2009, Chapter 158 and last amended by
Coordination Clause, Laws of Utah 2009, Chapter 288

34A-8a-204, as renumbered and amended by Laws of Utah 2009, Chapter 158

34A-8a-301, as last amended by Laws of Utah 2011, Chapter 366

34A-8a-302, as last amended by Laws of Utah 2011, Chapter 366

34A-8a-303, as last amended by Laws of Utah 2011, Chapter 366

34A-8a-304, as renumbered and amended by Laws of Utah 2009, Chapter 158

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **34A-2-413** is amended to read:

34A-2-413. Permanent total disability -- Amount of payments -- Rehabilitation.

(1) (a) In the case of a permanent total disability resulting from an industrial accident
or occupational disease, the employee shall receive compensation as outlined in this section.

(b) To establish entitlement to permanent total disability compensation, the employee
shall prove by a preponderance of evidence that:

(i) the employee sustained a significant impairment or combination of impairments as a
result of the industrial accident or occupational disease that gives rise to the permanent total
disability entitlement;

(ii) the employee has a permanent, total disability; and

(iii) the industrial accident or occupational disease is the direct cause of the employee's

64 permanent total disability.

65 (c) To establish that an employee has a permanent, total disability the employee shall
66 prove by a preponderance of the evidence that:

67 (i) the employee is not gainfully employed;

68 (ii) the employee has an impairment or combination of impairments that limit the
69 employee's ability to do basic work activities;

70 (iii) the industrial or occupationally caused impairment or combination of impairments
71 prevent the employee from performing the essential functions of the work activities for which
72 the employee has been qualified until the time of the industrial accident or occupational disease
73 that is the basis for the employee's permanent total disability claim; and

74 (iv) the employee cannot perform other work reasonably available, taking into
75 consideration the employee's:

76 (A) age;

77 (B) education;

78 (C) past work experience;

79 (D) medical capacity; and

80 (E) residual functional capacity.

81 (d) Evidence of an employee's entitlement to disability benefits other than those
82 provided under this chapter and Chapter 3, Utah Occupational Disease Act, if relevant:

83 (i) may be presented to the commission;

84 (ii) is not binding; and

85 (iii) creates no presumption of an entitlement under this chapter and Chapter 3, Utah
86 Occupational Disease Act.

87 (e) In determining under Subsections (1)(b) and (c) whether an employee cannot
88 perform other work reasonably available, the following may not be considered:

89 (i) whether the employee is incarcerated in a facility operated by or contracting with a
90 federal, state, county, or municipal government to house a criminal offender in either a secure
91 or nonsecure setting; or

92 (ii) whether the employee is not legally eligible to be employed because of a reason
93 unrelated to the impairment or combination of impairments.

94 (2) For permanent total disability compensation during the initial 312-week

entitlement, compensation is 66-2/3% of the employee's average weekly wage at the time of the injury, limited as follows:

(a) compensation per week may not be more than 85% of the state average weekly wage at the time of the injury;

(b) (i) subject to Subsection (2)(b)(ii), compensation per week may not be less than the sum of \$45 per week and:

(A) \$5 for a dependent spouse; and

(B) \$5 for each dependent child under the age of 18 years, up to a maximum of four dependent minor children; and

(ii) the amount calculated under Subsection (2)(b)(i) may not exceed:

(A) the maximum established in Subsection (2)(a); or

(B) the average weekly wage of the employee at the time of the injury; and

(c) after the initial 312 weeks, the minimum weekly compensation rate under Subsection (2)(b) is 36% of the current state average weekly wage, rounded to the nearest dollar.

(3) This Subsection (3) applies to claims resulting from an accident or disease arising out of and in the course of the employee's employment on or before June 30, 1994.

(a) The employer or its insurance carrier is liable for the initial 312 weeks of permanent total disability compensation except as outlined in Section 34A-2-703 as in effect on the date of injury.

(b) The employer or its insurance carrier may not be required to pay compensation for any combination of disabilities of any kind, as provided in this section and Sections 34A-2-410 through 34A-2-412 and Part 5, Industrial Noise, in excess of the amount of compensation payable over the initial 312 weeks at the applicable permanent total disability compensation rate under Subsection (2).

(c) The Employers' Reinsurance Fund shall for an overpayment of compensation described in Subsection (3)(b), reimburse the overpayment:

(i) to the employer or its insurance carrier; and

(ii) out of the Employers' Reinsurance Fund's liability to the employee.

(d) After an employee receives compensation from the employee's employer, its insurance carrier, or the Employers' Reinsurance Fund for any combination of disabilities

amounting to 312 weeks of compensation at the applicable permanent total disability compensation rate, the Employers' Reinsurance Fund shall pay all remaining permanent total disability compensation.

(e) Employers' Reinsurance Fund payments shall commence immediately after the employer or its insurance carrier satisfies its liability under this Subsection (3) or Section 34A-2-703.

(4) This Subsection (4) applies to claims resulting from an accident or disease arising out of and in the course of the employee's employment on or after July 1, 1994.

(a) The employer or its insurance carrier is liable for permanent total disability compensation.

(b) The employer or its insurance carrier may not be required to pay compensation for any combination of disabilities of any kind, as provided in this section and Sections 34A-2-410 through 34A-2-412 and Part 5, Industrial Noise, in excess of the amount of compensation payable over the initial 312 weeks at the applicable permanent total disability compensation rate under Subsection (2).

(c) The employer or its insurance carrier may recoup the overpayment of compensation described in Subsection (4) by reasonably offsetting the overpayment against future liability paid before or after the initial 312 weeks.

(5) (a) A finding by the commission of permanent total disability is not final, unless otherwise agreed to by the parties, until:

(i) an administrative law judge reviews a summary of reemployment activities undertaken pursuant to [~~Chapter 8a, Utah Injured Worker Reemployment Act~~] Section 34A-2-413.5;

(ii) the employer or its insurance carrier submits to the administrative law judge:

(A) a reemployment plan as prepared by a qualified rehabilitation provider reasonably designed to return the employee to gainful employment; or

(B) notice that the employer or its insurance carrier will not submit a plan; and

(iii) the administrative law judge, after notice to the parties, holds a hearing, unless otherwise stipulated, to:

(A) consider evidence regarding rehabilitation; and

(B) review any reemployment plan submitted by the employer or its insurance carrier

157 under Subsection (5)(a)(ii).

158 (b) Before commencing the procedure required by Subsection (5)(a), the administrative
159 law judge shall order:

160 (i) the initiation of permanent total disability compensation payments to provide for the
161 employee's subsistence; and

162 (ii) the payment of any undisputed disability or medical benefits due the employee.

163 (c) Notwithstanding Subsection (5)(a), an order for payment of benefits described in
164 Subsection (5)(b) is considered a final order for purposes of Section 34A-2-212.

165 (d) The employer or its insurance carrier shall be given credit for any disability
166 payments made under Subsection (5)(b) against its ultimate disability compensation liability
167 under this chapter or Chapter 3, Utah Occupational Disease Act.

168 (e) An employer or its insurance carrier may not be ordered to submit a reemployment
169 plan. If the employer or its insurance carrier voluntarily submits a plan, the plan is subject to
170 Subsections (5)(e)(i) through (iii).

171 (i) The plan may include, but not require an employee to pay for:

172 (A) retraining;

173 (B) education;

174 (C) medical and disability compensation benefits;

175 (D) job placement services; or

176 (E) incentives calculated to facilitate reemployment.

177 (ii) The plan shall include payment of reasonable disability compensation to provide
178 for the employee's subsistence during the rehabilitation process.

179 (iii) The employer or its insurance carrier shall diligently pursue the reemployment
180 plan. The employer's or insurance carrier's failure to diligently pursue the reemployment plan
181 is cause for the administrative law judge on the administrative law judge's own motion to make
182 a final decision of permanent total disability.

183 (f) If a preponderance of the evidence shows that successful rehabilitation is not
184 possible, the administrative law judge shall order that the employee be paid weekly permanent
185 total disability compensation benefits.

186 (g) If a preponderance of the evidence shows that pursuant to a reemployment plan, as
187 prepared by a qualified rehabilitation provider and presented under Subsection (5)(e), an

employee could immediately or without unreasonable delay return to work but for the following, an administrative law judge shall order that the employee be denied the payment of weekly permanent total disability compensation benefits:

- (i) incarceration in a facility operated by or contracting with a federal, state, county, or municipal government to house a criminal offender in either a secure or nonsecure setting; or
- (ii) not being legally eligible to be employed because of a reason unrelated to the impairment or combination of impairments.

(6) (a) The period of benefits commences on the date the employee acquired the permanent, total disability, as determined by a final order of the commission based on the facts and evidence, and ends:

- (i) with the death of the employee; or
- (ii) when the employee is capable of returning to regular, steady work.

(b) An employer or its insurance carrier may provide or locate for a permanently totally disabled employee reasonable, medically appropriate, part-time work in a job earning at least minimum wage, except that the employee may not be required to accept the work to the extent that it would disqualify the employee from Social Security disability benefits.

(c) An employee shall:

- (i) fully cooperate in the placement and employment process; and
- (ii) accept the reasonable, medically appropriate, part-time work.

(d) In a consecutive four-week period when an employee's gross income from the work provided under Subsection (6)(b) exceeds \$500, the employer or insurance carrier may reduce the employee's permanent total disability compensation by 50% of the employee's income in excess of \$500.

(e) If a work opportunity is not provided by the employer or its insurance carrier, an employee with a permanent, total disability may obtain medically appropriate, part-time work subject to the offset provisions of Subsection (6)(d).

(f) (i) The commission shall establish rules regarding the part-time work and offset.

(ii) The adjudication of disputes arising under this Subsection (6) is governed by Part 8, Adjudication.

(g) The employer or its insurance carrier has the burden of proof to show that medically appropriate part-time work is available.

219 (h) The administrative law judge may:

220 (i) excuse an employee from participation in any work:

221 (A) that would require the employee to undertake work exceeding the employee's:

222 (I) medical capacity; or

223 (II) residual functional capacity; or

224 (B) for good cause; or

225 (ii) allow the employer or its insurance carrier to reduce permanent total disability

226 benefits as provided in Subsection (6)(d) when reasonable, medically appropriate, part-time

227 work is offered, but the employee fails to fully cooperate.

228 (7) When an employee is rehabilitated or the employee's rehabilitation is possible but

229 the employee has some loss of bodily function, the award shall be for permanent partial

230 disability.

231 (8) As determined by an administrative law judge, an employee is not entitled to

232 disability compensation, unless the employee fully cooperates with any evaluation or

233 reemployment plan under this chapter or Chapter 3, Utah Occupational Disease Act. The

234 administrative law judge shall dismiss without prejudice the claim for benefits of an employee

235 if the administrative law judge finds that the employee fails to fully cooperate, unless the

236 administrative law judge states specific findings on the record justifying dismissal with

237 prejudice.

238 (9) (a) The loss or permanent and complete loss of the use of the following constitutes

239 total and permanent disability that is compensated according to this section:

240 (i) both hands;

241 (ii) both arms;

242 (iii) both feet;

243 (iv) both legs;

244 (v) both eyes; or

245 (vi) any combination of two body members described in this Subsection (9)(a).

246 (b) A finding of permanent total disability pursuant to Subsection (9)(a) is final.

247 (10) (a) An insurer or self-insured employer may periodically reexamine a permanent

248 total disability claim, except those based on Subsection (9), for which the insurer or

249 self-insured employer had or has payment responsibility to determine whether the employee

250 continues to have a permanent, total disability.

251 (b) Reexamination may be conducted no more than once every three years after an
252 award is final, unless good cause is shown by the employer or its insurance carrier to allow
253 more frequent reexaminations.

254 (c) The reexamination may include:

255 (i) the review of medical records;

256 (ii) employee submission to one or more reasonable medical evaluations;

257 (iii) employee submission to one or more reasonable rehabilitation evaluations and
258 retraining efforts;

259 (iv) employee disclosure of Federal Income Tax Returns;

260 (v) employee certification of compliance with Section 34A-2-110; and

261 (vi) employee completion of one or more sworn affidavits or questionnaires approved
262 by the division.

263 (d) The insurer or self-insured employer shall pay for the cost of a reexamination with
264 appropriate employee reimbursement pursuant to rule for reasonable travel allowance and per
265 diem as well as reasonable expert witness fees incurred by the employee in supporting the
266 employee's claim for permanent total disability benefits at the time of reexamination.

267 (e) If an employee fails to fully cooperate in the reasonable reexamination of a
268 permanent total disability finding, an administrative law judge may order the suspension of the
269 employee's permanent total disability benefits until the employee cooperates with the
270 reexamination.

271 (f) (i) If the reexamination of a permanent total disability finding reveals evidence that
272 reasonably raises the issue of an employee's continued entitlement to permanent total disability
273 compensation benefits, an insurer or self-insured employer may petition the Division of
274 Adjudication for a rehearing on that issue. The insurer or self-insured employer shall include
275 with the petition, documentation supporting the insurer's or self-insured employer's belief that
276 the employee no longer has a permanent, total disability.

277 (ii) If the petition under Subsection (10)(f)(i) demonstrates good cause, as determined
278 by the Division of Adjudication, an administrative law judge shall adjudicate the issue at a
279 hearing.

280 (iii) Evidence of an employee's participation in medically appropriate, part-time work

may not be the sole basis for termination of an employee's permanent total disability entitlement, but the evidence of the employee's participation in medically appropriate, part-time work under Subsection (6) may be considered in the reexamination or hearing with other evidence relating to the employee's status and condition.

(g) In accordance with Section 34A-1-309, the administrative law judge may award reasonable attorney fees to an attorney retained by an employee to represent the employee's interests with respect to reexamination of the permanent total disability finding, except if the employee does not prevail, the attorney fees shall be set at \$1,000. The attorney fees awarded shall be paid by the employer or its insurance carrier in addition to the permanent total disability compensation benefits due.

(h) During the period of reexamination or adjudication, if the employee fully cooperates, each insurer, self-insured employer, or the Employers' Reinsurance Fund shall continue to pay the permanent total disability compensation benefits due the employee.

(11) If any provision of this section, or the application of any provision to any person or circumstance, is held invalid, the remainder of this section is given effect without the invalid provision or application.

Section 2. Section **34A-2-413.5** is enacted to read:

34A-2-413.5. Injured worker reemployment.

(1) As used in this section:

(a) (i) "Gainful employment" means employment that:

(A) is reasonably attainable in view of an industrial injury or occupational disease; and

(B) offers to an injured worker, as reasonably feasible, an opportunity for earnings.

(ii) Factors considered in determining gainful employment include an injured worker's:

(A) education;

(B) experience; and

(C) physical and mental impairment and condition.

(b) "Initial written report" means a report required under Subsection (5).

(c) "Injured worker" means an employee who sustains an industrial injury or occupational disease for which benefits are provided under this chapter or Chapter 3, Utah Occupational Disease Act.

(d) "Injured worker with a disability" means an injured worker who:

(i) because of the injury or disease that is the basis of the employee being an injured worker:

(A) is or will be unable to return to work in the injured worker's usual and customary occupation; or

(B) is unable to perform work for which the injured worker has previous training and experience; and

(ii) reasonably can be expected to attain gainful employment after an evaluation provided for in accordance with this section.

(e) "Parties" means:

(i) an injured worker with a disability;

(ii) the employer of the injured worker with a disability;

(iii) the employer's workers' compensation insurance carrier; and

(iv) a rehabilitation or reemployment professional for the employer or the employer's workers' compensation insurance carrier.

(f) "Reemployment plan" means a written:

(i) description or rationale for the manner and means by which it is proposed an injured worker with a disability may return to gainful employment; and

(ii) definition of the voluntary responsibilities of:

(A) the injured worker with a disability;

(B) the employer; and

(C) one or more other parties involved with the implementation of the reemployment plan.

(2) This section applies only to an industrial injury or occupational disease that occurs on or after July 1, 1990.

(3) This section does not affect the duties of the Utah State Office of Rehabilitation.

(4) The commission may provide for the administration of this section by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(5) An employer or the employer's workers' compensation insurance carrier shall prepare an initial written report assessing an injured worker's need or lack of need for vocational assistance in reemployment if:

(a) it appears that the injured worker is or will be an injured worker with a disability; or

(b) the period of the injured worker's temporary total disability compensation period exceeds 90 days.

(6) (a) Subject to Subsection (6)(b), an employer or the employer's workers' compensation insurance carrier shall serve the initial written report on the injured worker.

(b) An employer or the employer's workers' compensation insurance carrier shall comply with Subsection (6)(a) by no later than 30 days after the earlier of the day on which:

(i) it appears that the injured worker is or will be an injured worker with a disability; or

(ii) the 90-day period described in Subsection (5)(b) ends.

(7) With the initial written report, an employer or the employer's workers' compensation insurance carrier shall provide an injured worker information regarding reemployment.

(8) Subject to the other provisions of this section, if an injured worker is an injured worker with a disability, the employer or the employer's workers' compensation insurance carrier shall, within 10 days after the day on which the employer or workers' compensation insurance carrier serves the initial written report on the injured worker, refer the injured worker with a disability to:

(a) the Utah State Office of Rehabilitation; or

(b) at the employer's or workers' compensation insurance carrier's option, a private rehabilitation or reemployment service.

(9) An employer or the employer's workers' compensation insurance carrier shall make the referral required by Subsection (8) for the purpose of:

(a) providing an evaluation; and

(b) developing a reemployment plan.

(10) The objective of reemployment is to return an injured worker with a disability to gainful employment in the following order of employment priority:

(a) same job, same employer;

(b) modified job, same employer;

(c) same job, new employer;

(d) modified job, new employer;

(e) new job, new employer; or

(f) retraining in a new occupation.

(11) Nothing in this section or its application is intended to:

(a) modify or in any way affect an existing employee-employer relationship; or

(b) provide an employee with a guarantee or right to employment or continued employment with an employer.

(12) A rehabilitation counselor to whom a referral is made under Subsection (8) shall have the same or comparable qualifications as those established by the Utah State Office of Rehabilitation for personnel assigned to rehabilitation and evaluation duties.

Section 3. Section **34A-3-102** is amended to read:

34A-3-102. Chapter to be administered by commission -- Exclusive remedy.

(1) The commission shall administer this chapter through the division, the Division of Adjudication, and the Appeals Board in accordance with Section 34A-2-112.

(2) Subject to the limitations provided in this chapter and, unless otherwise noted, all provisions of Chapter 2, Workers' Compensation Act, [~~and Chapter 8a, Utah Injured Worker Reemployment Act,~~] are incorporated into this chapter and shall be applied to occupational disease claims.

(3) The right to recover compensation under this chapter for diseases or injuries to health sustained by a Utah employee is the exclusive remedy as outlined in Section 34A-2-105.

Section 4. Section **63A-3-501** is amended to read:

63A-3-501. Definitions.

As used in this part:

(1) (a) "Accounts receivable" or "receivables" means any amount due to a state agency from an entity for which payment has not been received by the state agency that is servicing the debt.

(b) "Accounts receivable" includes unpaid fees, licenses, taxes, loans, overpayments, fines, forfeitures, surcharges, costs, contracts, interest, penalties, restitution to victims, third-party claims, sale of goods, sale of services, claims, and damages.

(2) "Administrative offset" means:

(a) a reduction of an individual's tax refund or other payments due to the individual to reduce or eliminate accounts receivable that the individual owes to a state agency; and

(b) a reduction of an entity's tax refund or other payments due to the entity to reduce or eliminate accounts receivable that the entity owes to a state agency.

(3) "Entity" means an individual, a corporation, partnership, or other organization that pays taxes to or does business with the state.

(4) "Office" means the Office of State Debt Collection established by this part.

(5) "Past due" means any accounts receivable that the state has not received by the payment due date.

(6) "Restitution to victims" means restitution ordered by a court to be paid to a victim of an offense in a criminal or juvenile proceeding.

(7) (a) "State agency" includes:

(i) any department, division, commission, council, board, bureau, committee, office, or other administrative subunit of Utah state government;

(ii) the legislative branch of state government; and

(iii) the judicial branches of state government, including justice courts.

(b) "State agency" does not include:

(i) any institution of higher education;

(ii) except in Subsection 63A-3-502(7)(g), the State Tax Commission; or

(iii) the administrator of the Uninsured Employers' Fund appointed by the Labor Commissioner under Section 34A-2-704, solely for the purposes of collecting money required to be deposited into the Uninsured Employers' Fund under:

(A) Section 34A-1-405;

(B) Title 34A, Chapter 2, Workers' Compensation Act; or

(C) Title 34A, Chapter 3, Utah Occupational Disease Act[~~;~~or].

~~[(D) Title 34A, Chapter 8a, Utah Injured Worker Reemployment Act.]~~

(8) "Writing-off" means the removal of an accounts receivable from an agency's accounts receivable records but does not necessarily eliminate further collection efforts.

Section 5. Section **63I-1-234 (Superseded 07/01/14)** is amended to read:

63I-1-234 (Superseded 07/01/14). Repeal dates, Titles 34 and 34A.

(1) Title 34, Chapter 47, Worker Classification Coordinated Enforcement Act, is repealed July 1, 2016.

(2) Section 34A-2-202.5 is repealed December 31, 2020.

(3) Section 34A-2-705 and Subsection 59-9-101(2)(c)(iv) are repealed July 1, 2018.

~~[(4) Title 34A, Chapter 8a, Utah Injured Worker Reemployment Act, is repealed July~~

436 ~~1, 2014.~~]

437 Section 6. Section **63I-1-234 (Effective 07/01/14)** is amended to read:

438 **63I-1-234 (Effective 07/01/14). Repeal dates, Titles 34 and 34A.**

439 (1) Title 34, Chapter 47, Worker Classification Coordinated Enforcement Act, is
440 repealed July 1, 2016.

441 (2) Section 34A-2-202.5 is repealed December 31, 2020.

442 (3) Section 34A-2-705 and Subsection 59-9-101(2)(c)(iv) are repealed July 1, 2018.

443 ~~[(4) Title 34A, Chapter 8a, Utah Injured Worker Reemployment Act, is repealed July~~
444 ~~1, 2014.]~~

445 ~~[(5)]~~ (4) Section 34A-2-213, Coordination of benefits with health benefit plan --
446 Timely payment of claims, is repealed July 1, 2018.

447 Section 7. **Repealer.**

448 This bill repeals:

449 Section **34A-8a-101, Title -- Intent statement.**

450 Section **34A-8a-102, Definitions.**

451 Section **34A-8a-104, Application.**

452 Section **34A-8a-105, Duties of Utah State Office of Rehabilitation not affected.**

453 Section **34A-8a-201, Chapter administration.**

454 Section **34A-8a-202, Rulemaking authority.**

455 Section **34A-8a-203, Reporting.**

456 Section **34A-8a-204, Administrative review.**

457 Section **34A-8a-301, Initial report on injured worker.**

458 Section **34A-8a-302, Evaluation of injured worker -- Reemployment plan.**

459 Section **34A-8a-303, Reemployment objectives.**

460 Section **34A-8a-304, Rehabilitation counselor.**

461 Section 8. **Effective date.**

462 (1) Except as provided in Subsection (2), this bill takes effect on May 13, 2014.

463 (2) The amendments to Section 63I-1-234 (Effective 07/01/14) take effect on July 1,
464 2014.